THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20398 OF 2005

DATED:16.9.2005

Between:

Ahmed Salahuddin Siddiqui and another

…Petitioners

And

The Mandal Revenue Officer,

Shaikpet Mandal,

Hyderabad District

…Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20398 OF 2005

ORDER:

The petitioners are residents of house Nos.8-2-684/1/2/A, Road No.12, Banjara Hills, Hyderabad. According to the petitioners, an extent of Acs.6.00 in S.No.129/39 of Shaikpet Village was originally belong to Nawab Sayeed Jung Bahadur @ Abu Sayeed Mirza, S/o. Late Mouli Aziz Mirza. One of the legal heirs, Smt. Azeema Jameeluddin, after partition executed an agreement of sale through her general power of attorney on 20.6.1993 for an extent of 447.49 Sq.yards to Shoukat Ali. The petitioners claimed that they purchased the property from Shoukat Ali and constructed a house 'Baitul Aziz' and are in possession of the property duly paying

electricity charges and other taxes. The respondent issued summons under A.P. Revenue Summons Rules, 1959 directing the petitioners to appear before him and produce necessary documents in support of the total claim over the land. The petitioners allege that pursuant to the said notice, petitioners went to the office of the Mandal Revenue Officer, in vain as Mandal Revenue Officer was not present in the office. In the meanwhile, it is alleged that on 11.9.2005, the officials of the respondent came to the premises and demolished a part of the building. Therefore, present Writ Petition is filed.

At the stage of admission itself, learned Assistant Government Pleader for Revenue obtained instructions from the respondent and he submits that the land in T.S. No.3, Block-H, Ward No.10, correlated to S.No.403/P of Shaikpet Village and Mandal is Government poramboke land and that the petitioners are encroachers. Therefore, notice was issued, but the petitioners did not appear, and tried to raise structures in the adjacent Government land, which was stopped by the Mandal Revenue Officer.

There is a dispute as to the title of the petitioners and the Government. As per the instructions received by the learned Assistant Government Pleader, a copy of which is placed before this Court, the petitioners were allegedly making some constructions in the adjacent land. Whatever be the case, now that a preliminary notice is issued, the Mandal Revenue Officer is directed to stop further demolition of structures, and if so advised initiate action under A.P.Land Encroachment Act, 1905 or A.P. Land Grabbing (Prohibition) Act, 1982. Till then, there shall be *status quo* as on today and the petitioners are also prohibited from making any construction, except the compound wall, which was allegedly demolished.

The Writ Petition is accordingly disposed of. No costs.

(V.V.S.RAO, J)

16.9.2005

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